

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER

Criminal File No. 11-365 (MJD/LIB)

(1) KEITH BRIAN DONNELL,

Defendant.

On July 13, 2012, the Court granted the Government's motion for a Preliminary Order of Forfeiture of \$12,622.00 in U.S. currency. On August 14, 2012, Defendant Keith Brian Donnell filed an objection to the Preliminary Order of Forfeiture on the grounds that, while some of the money was marked money, some of the money belonged to Karen Stately. Stately's claim to the money has no bearing on the Court's Preliminary Order of Forfeiture; her claim must be submitted by filing a petition in accordance with the procedure set forth in the Court's Preliminary Order of Forfeiture. Defendant also objects that the money should not be forfeited until after he has exhausted his appeals in this case. This objection is unavailing. If Defendant's conviction is overturned, the forfeiture

order will be vacated. However, under federal law, the Court must determine forfeiture issues as soon as is practical after a guilty plea. See Fed. R. Crim. P. 32.2(b)(1)(A).

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

Defendant's Objection to the Preliminary Order of Forfeiture
[Docket No. 55] is **OVERRULED**.

Dated: September 4, 2012

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court

United States District Court